

**D. Petitions for Judicial Review**

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 31, 1997. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2) of the CAA).

**E. Executive Order 12866**

The Office of Management and Budget has exempted this rule from the requirements of section 6 of Executive Order 12866.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of Colorado was approved by the Director of the Federal Register on July 1, 1980.

Dated: December 2, 1996.

Jack W. McGraw,

*Acting Regional Administrator.*

40 CFR part 52 is amended as follows:

**PART 52—[AMENDED]**

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

**Subpart G—Colorado**

2. Section 52.320 is amended by adding paragraph (c)(78) to read as follows:

**§ 52.320 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(78) Revisions to the Colorado State Implementation Plan were submitted by the Governor of the State of Colorado on August 25, 1995, and October 16, 1995. The revisions consist of amendments to Regulation No. 3, "Air Contaminant Emissions Notices" and to Regulation No. 7, "Regulation To Control Emissions of Volatile Organic Compounds." These revisions involve source-specific State Implementation Plan requirements for emission trading for Pioneer Metal

Finishing Inc. and crossline averaging for Lexmark International Inc.

(i) Incorporation by reference.

(A) Revisions to Regulation No. 3, 5 CCR 1001–5, sections V.A. (Purpose), V.C.1, V.C.3, V.C.5 (Definitions), V.D.6, V.D.7, V.D.9 (Procedure for Certification of Emissions Reductions and Approval of Transactions), V.E. (Criteria for Certification of Emissions Reductions), V.F., V.F.5, V.F.7, V.F.8.1, V.F.14, and V.F.15 (Criteria for Approval of all Transactions) and Revisions to Regulation No. 7, 5 CCR 1001–9, section II.D.1.a (Alternative Control Plans and Test Methods) became effective on December 30, 1994. The new section IX.L.2.c through IX.L.2.c.xv (Manufactured Metal Parts and Metal Products) to Regulation No. 7, 5 CCR 1001–9, applicable to Pioneer Metal Finishing Inc., became effective on April 30, 1995. The new section IX.A.12 through IX.A.12.a.(xi) (General Provisions) to Regulation No. 7, 5 CCR 1001–9, applicable to Lexmark International Inc., became effective July 30, 1995.

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[FR Doc. 97–2288 Filed 1–29–97; 8:45 am]

BILLING CODE 6560–50–F

**40 CFR Part 60**

[FRL–5681–5]

**Notice of Determination That the New Source Performance Standards (Subpart Eb) Apply to Central Wayne Energy Recovery, L.P., Dearborn Heights, Michigan**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of determination of Part 60 applicability.

**SUMMARY:** The Environmental Protection Agency (EPA) publishes its decision that a proposed modification to the municipal waste combustor in Dearborn Heights, Michigan, will trigger the applicability of the "Standards of Performance for Municipal Waste Combustors" (Part 60, Subpart Eb).

**EFFECTIVE DATE:** This decision takes effect on October 11, 1996. Petitions for review of this determination must be filed on or before March 31, 1997 in accordance with the provisions of section 307(b)(1) of the Clean Air Act.

**ADDRESSES:** The related material in support of this decision may be examined during normal business hours at the United States Environmental Protection Agency, Air and Radiation Division, Air Enforcement and Compliance Assurance Branch, 17th

Floor, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:**

Jeffrey L. Gahriss of U.S. EPA Region 5, Air Enforcement and Compliance Assurance Branch (AE–17J), 77 West Jackson Boulevard, Chicago, Illinois 60604. Telephone (312) 886–6794.

**SUPPLEMENTARY INFORMATION:** On August 16, 1995, the Director of Wayne County, Michigan's Air Quality Management Division, requested a determination on the applicability of the New Source Performance Standards for New Stationary Sources (NSPS) to a "waste-to-energy" conversion project proposed by the Central Wayne Energy Limited Partnership for the municipal waste combustor facility located in Dearborn Heights, Michigan. After requesting and receiving additional clarifying information, EPA responded to Wayne County's request by means of a letter dated October 11, 1996. EPA determined that each of the MWC units at the facility will become subject to the NSPS for municipal waste combustors (40 CFR Part 60, Subpart Eb, as promulgated on December 19, 1995). This determination was based on the NSPS and emissions guidelines that were published in the Federal Register on December 19, 1995, and codified at 40 CFR Part 60, Subparts Eb and Cb, respectively.

In addition to the publication of this action, EPA is placing a copy of this determination on its Technology Transfer Network (TTN) bulletin board service.

(Sec. 111 and Sec.129, Clean Air Act (42 U.S.C. 7411))

Dated: January 13, 1997.

Valdas V. Adamkus,

*Regional Administrator.*

[FR Doc. 97–2325 Filed 1–29–97; 8:45 am]

BILLING CODE 6560–50–P

**40 CFR Part 63**

[AD–FRL–5682–3]

**National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Interim final rule deadline extension.

**SUMMARY:** On January 25, 1995, the EPA issued national emission standards for hazardous air pollutants (NESHAP) under Section 112 of the Clean Air Act as amended by the Clean Air Act Amendments of 1990, for Hard and